

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF PUERTO RICO

ELAINE L. CHAO, Secretary of Labor, : Civil Action
United States Department of Labor, :
Plaintiff, : File No. 02-2836
: (RLA)
: v.
: SINDICATO DE GUARDIAS DE SEGURIDAD
Y OPERADORES DE CAMIONES BLINDADOS :
DE PUERTO RICO :
: Defendant. :

JOINT STIPULATION OF SETTLEMENT and ORDER

IT IS HEREBY STIPULATED by the parties as follows:

1. Plaintiff Secretary of Labor brought this action under Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (Act of September 14, 1959, 73 Stat. 519 et seq.), hereinafter referred to as the Act, to set aside the regular election for the offices of President, Recording Secretary and Vocals conducted by the defendant Sindicato de Guardias de Seguridad y Operadores de Camiones Blindados de Puerto Rico on December 18, 2001.

2. The parties in settlement of this action without the necessity of a trial, hereby stipulate and agree that defendant Union shall conduct new nominations and a new election for the offices specified in paragraph 1 above under the supervision of

the plaintiff Secretary of Labor, such supervised election to coincide with defendant's next regularly scheduled election, to be completed no later than December 18, 2004. Such election shall be conducted in accordance with Title IV of the Act (29 U.S.C. Section 481, et seq.), and, insofar as lawful and practicable, in accordance with the Constitution and the By-laws of the defendant Union. The winners of the supervised election shall serve a full three (3) year term as specified in defendant's Constitution and By-Laws.

3. The defendant union stipulates and agrees that it will not seek to disqualify Carlos Figueroa, Fernando Quiles, and/or Angel Vega from either seeking nomination to union office, running for office and/or voting in the December 2004 election on the grounds that they were expelled from the union on or about May 30, 2000.

4. All decisions as to the interpretation or application of Title IV of the Act and the Constitution and By-laws of defendant union, which relate to the supervised election, are to be determined by the plaintiff Secretary of Labor, and her decision shall be final, unless and until any such decision is, on application by the defendant, set aside by the Court.

5. The Court shall retain jurisdiction of this action and after completion of the election, plaintiff Secretary shall certify to the Court the names of the persons so elected, that

such election was conducted in accordance with Title IV of the Act, and insofar as lawful and practicable, in accordance with the provisions of the Constitution and Bylaws of defendant Sindicato de Guardias de Seguridad y Operadores de Camiones Blindados de Puerto Rico. Upon approval of such certification, the Court shall enter a judgment declaring that such persons have been elected as shown by such certification to serve a three (3) year term of office, and further providing that each

party will bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

DATED this 1st day of April, 2004 in San Juan, Puerto Rico.

FOR THE DEFENDANT:

SINDICATO DE GUARDIAS,
DE SEGURIDAD Y OPERADORES
DE CAMIONES BLINDADOS
DE PUERTO RICO

By:

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FOR THE PLAINTIFF:

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SO ORDERED this _____ day of _____, 2004 in San Juan,
Puerto Rico:

HONORABLE RAYMOND L. ACOSTA
UNITED STATES DISTRICT JUDGE